

**MINUTES - U.S. DISTRICT COURT
DISTRICT OF SOUTH DAKOTA - CENTRAL DIVISION**

JUDGE: Mark A. Moreno
CASE NO: 17-30109-RAL
Courtroom Deputy: CJH
Probation Officer: Melisa Forest

Recorded by: FTR - Bankruptcy
Date: September 6, 2017

Case:
UNITED STATES OF AMERICA,
Plaintiff,
-vs-
DUANE MEDNANSKY,
Defendant.

Attorneys:
Kirk W. Albertson
Robert T. Konrad (retained)

COUNTS: Sexual Abuse of a Minor and Abusive Sexual Contact

MAXIMUM POSSIBLE PENALTY: Count I: 15 years custody; \$250,000 fine, or both; mandatory minimum of 5 years up to life of supervised release; violation of condition of release could result in 2 years additional incarceration on any such revocation with one exception. If the Defendant is found to have violated any condition of his supervised release, he may be incarcerated for an additional term of up to 5 years for each violation with one exception. If the Defendant commits a new felony violation of chapter 109A, 110, or 117, or section 1201 or 1591 while on supervised release, he may be incarcerated for a mandatory minimum term of 5 years up to life for each violation; \$100 assessment; restitution

Count II: 2 years custody; \$250,000 fine, or both; mandatory minimum of 5 years up to life of supervised release; violation of condition of release could result in 2 years additional incarceration on any such revocation with one exception. If the Defendant is found to have violated any condition of his supervised release, he may be incarcerated for an additional term of up to 5 years for each violation with one exception. If the Defendant commits a new felony violation of chapter 109A, 110, or 117, or section 1201 or 1591 while on supervised release, he may be incarcerated for a mandatory minimum term of 5 years up to life for each violation; \$100 assessment; restitution

Defendant's Age: 47 **Level of Education: High School Graduate + Mechanic's Degree**

Hearing Set @ 4:00 p.m. **Hearing Begun @ 4:02 p.m.**

ARRAIGNMENT (8 mins.)

Defendant advised of and/or understands the charges and maximum possible penalties

Defendant advised of constitutional and statutory rights

Defendant waives reading of Indictment

Defendant enters plea of not guilty to the charge(s) contained in the Indictment and requests a jury trial

BAIL REVIEW HEARING (10 mins.)

Mr. Konrad presents remarks and proffers in support of his request to modify conditions of release (removal of the curfew; Defendant opposes a restriction on his ability to possess a firearm)

Mr. Albertson presents remarks as to the modification requests. Government opposes the removal of the curfew, but has no objection to the firearm restriction not being in place.

Minutes

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The Court rules, based on the findings made on the record, that it will modify the curfew hours to 10:00 p.m. to 6:00 a.m. and will not impose a restriction on possession a firearm.

Mr. Konrad requests that the curfew be changed to 10:30. Denied. Defendant can get authorization from the Probation on an as needed basis.

Hearing Ended @ 4:20 p.m.

Reported in Court Time: 18 mins.